

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**THE CITY OF HUNTINGTON,
Plaintiff,**

v.

CIVIL ACTION NO. 3:17-01362

**AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.**

**CABELL COUNTY COMMISSION,
Plaintiff,**

v.

CIVIL ACTION NO. 3:17-01665

**AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.**

**STIPULATION REGARDING DOCUMENTS PRODUCED BY
THE DRUG ENFORCEMENT ADMINISTRATION**

The parties stipulate as follows regarding certain documents produced in this litigation by the Drug Enforcement Administration (“DEA”), attached hereto as Appendix “A”:

1. The parties stipulate that they will not object to the authenticity of these documents pursuant to FRE 901 and 902 at trial.
2. The parties stipulate that they will not object to the presentation of these documents without the use of a sponsoring witness at trial, while preserving all other evidentiary objections.
3. The parties reserve their rights to object to the admissibility of all documents listed above, or to any witness’s testimony about them, including but not limited to under Federal Rules of Evidence 401, 402, 403, 408 and hearsay.

Date: April 15, 2021

Respectfully Submitted,

By Defendants:

/s/ Gretchen M. Callas

Gretchen M. Callas (WVSB #7136)
JACKSON KELLY PLLC
Post Office Box 553
Charleston, WV 25322
Telephone: (304) 340-1000
Facsimile: (304) 340-1050
gcallas@jacksonkelly.com

/s/ Robert A. Nicholas

Robert A. Nicholas
Shannon E. McClure
Joseph J. Mahady
REED SMITH LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
Tel: (215) 851-8100
Fax: (215) 851-1420
rnicholas@reedsmith.com
smcclure@reedsmith.com
jmahady@reedsmith.com

*Counsel for AmerisourceBergen Drug
Corporation*

/s/ Steven R. Ruby

Steven R. Ruby (WVSB #10752)
Raymond S. Franks II (WVSB #6523)
CAREY DOUGLAS KESSLER & RUBY
PLLC
707 Virginia St. E., Ste. 901
Charleston, West Virginia 25301
Tel.: (304) 345-1234
Fax: (304) 342-1105

/s/ Enu Mainigi

Enu Mainigi
F. Lane Heard III
Ashley W. Hardin
WILLIAMS & CONNOLLY LLP
725 Twelfth Street NW

Tel.: (202) 434-5000
Fax: (202) 434-5029
emainigi@wc.com
lheard@wc.com
ahardin@wc.com

Counsel for Cardinal Health, Inc.

/s/ Timothy C. Hester

Timothy C. Hester
Laura Flahive Wu
Andrew P. Stanner
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street NW
Washington, DC 20001
Tel: (202) 662-5324
thester@cov.com
lflahivewu@cov.com
astanner@cov.com

/s/ Paul W. Schmidt

Paul W. Schmidt
COVINGTON & BURLING LLP
The New York Times Building
620 Eighth Avenue
New York, New York 10018
(212) 841-1000
pschmidt@cov.com

/s/ Jeffrey M. Wakefield

Jeffrey M. Wakefield (WVSB #3894)
jwakefield@flahertylegal.com
Jason L. Holliday (WVSB #12749)
jholliday@flahertylegal.com
FLAHERTY SENSABAUGH BONASSO
PLLC
P.O. Box. 3843
Charleston, WV 25338-3843
Telephone: (304) 345-0200

Counsel for McKesson Corporation

By Plaintiffs:

/s/ Paul T. Farrell, Jr.

Paul T. Farrell, Jr.
(WVSB Bar No. 7443)
FARRELL & FULLER LLC
1311 Ponce de Leon Ave., Suite 202
San Jaun, Puerto Rico 00907
Tel: 304-654-8281

Counsel for Cabell County Commission

/s/ Anne McGinness Kearse

Anne McGinness Kearse
(WVSB No. 12547)
Joseph F. Rice
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464
Tel: 843-216-9000
Fax: 843-216-9450
akearse@motleyrice.com
jrice@motleyrice.com

Counsel for City of Huntington

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2021, the forgoing *Stipulation Regarding Documents Produced by The Drug Enforcement Administration* was sent to Counsel for the Plaintiffs and Defendants using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gretchen M. Callas

Gretchen M. Callas (WVSB # 7136)